

National Maritime Security Advisory Council

NMSAC is the primary and lead advisory committee for maritime security.



by MR. JOHN BASTEK
Executive Secretary, NMSAC

The National Maritime Security Advisory Committee (NMSAC) is the newest advisory group for the Coast Guard. The Maritime Transportation Security Act (MTSA) of 2002 established NMSAC in Section 70112. The committee was formed to advise the Secretary of Homeland Security through the Commandant of the Coast Guard on matters relating to national maritime security. Members were chosen based on their affiliation to a specific sector within the maritime industry or a recognized maritime association, in order to represent the interests of a wide segment of the maritime population (Figure 1). Each member is required to have at least five years of experience in maritime security operations, and all of the members are vetted and approved by the Secretary of Homeland Security.

Congress made the NMSAC subject to the Federal Advisory Committee Act (FACA), which requires an annual report, among other things. General information on FACA committees can be found on the FACA Website at <http://www.gsa.gov/>.

Members and Committee Makeup

The members are from very diverse elements within the maritime community—port management, facilities, organized labor, vessel owners/operators, supply chain, and academia. A wide array of views is represented, which is the value of this group. They can discuss every facet of a situation from individual perspec-

tives and, thereby, provide quality advice to the Department of Homeland Security or to the Coast Guard.

Each member can also solicit input from others within their specific maritime industry segment or element or recommend others to participate on NMSAC workgroups. This capability ensures, again, that advice and recommendations provided by NMSAC are built upon the foundation of broad maritime industry expertise.

The original 20 members selected to the NMSAC are:

Christopher L. Koch	President & CEO, World Shipping Council (NMSAC Chairman)
Lisa B. Humber	Vice President, Maritime Exchange for the Delaware River and Bay (NMSAC Vice Chair)
Joseph H. Langjahr	Vice President & General Counsel, Foss Maritime Company
Thomas E. Thompson	Executive Vice President, International Council of Cruise Lines
John C. Dragone	Vice President – Operating Division, Maritrans Operating Company L.P.
Mary Frances Culnane	Manager, Marine Engineering, San Francisco Bay Area Water Transit Authority
Basil Maher	President and Chief Operating Officer, Maher Terminals
Charles Raymond	Chairman, President, and CEO, Horizon Lines
Alice K. Johnson	Senior Supervisor, PPG Industries, Inc.
Timothy J. Scott	Global Director, Emergency Services & Security - The Dow Chemical Company
Mark Witten	Sr. Regulatory Advisor, Gulf of Mexico Deepwater Business Unit, ChevronTexaco
Robert R. Merhige III	Retired Chief of the Port Police; Virginia Port Authority
Jeffery W. Monroe	Director of Ports and Transportation, Portland, Maine
Wade M. Battles	Managing Director - Port of Houston Authority
John Hyde	Director, Security & Compliance, Maersk Sealand Inc.
William Eglinton	Seafarers International Union of North America, AFL-CIO
James Stolpinski	President, Local 1233 ILA
David Halstead	Chief, Domestic Security Preparedness, FL Department of Law Enforcement
Theodore L. Mar	Chief, Marine Safety Branch - CA Dept of Fish and Game
Victor Zaloom	Director, Engineering Graduate Programs & Lamar University Center for Ports and Waterways





Figure 1: First row, from left: John Dragone, Maritrans; Jeffrey Monroe, Port of Portland (ME) Port Director; Basil Maher, Maher Terminals; Bill Eglinton, Seafarer's International Union; Victor Zaloom, Lamar University; Robert Merighe, Retired Chief of Police, Virginia Port Authority; CDR Tina Burke, USCG. Second row, from left: Mary Frances Culnane, San Francisco Water Taxi Authority; Mark Witten, Chevron/Texaco; Ted Mar, State of California; Chris Koch, World Shipping Council, Chair; Joseph Langjahr, Foss Maritime Company; James Stolpinski, International Longshoreman's Association; John Bastek, Executive Secretary. Third row, from left: Capt Frank Sturm, USCG; John Hyde, Maersk; Thomas E. Thompson, ICCL; David Halstead, State of Florida; Lisa Himber, Delaware Marine Exchange, Vice Chair. (Not pictured: T.J. Scott, Dow Chemical; Alice Johnson, PPG Industries; Chuck Raymond, Horizon Lines; and Wade Battles, Port of Houston.) YN1 Birchfield, USCG.

The Designated Federal Official and Executive Director for the NMSAC is CAPT Frank Sturm, the Chief of Port and Vessel Security at U.S. Coast Guard Headquarters. Capt Sturm himself has much maritime experience with which to provide guidance and assistance to the committee.

NMSAC Purpose and Charter

NMSAC is chartered "to advise, consult with, and make recommendations to the Secretary of the Department in which the Coast Guard is operating, via the Commandant of the Coast Guard, on matters affecting maritime security, including, but not limited to:

- developing a national strategy and policy to provide for efficient, coordinated and effective action to deter and minimize damage from maritime-related transportation security incidents;
- recommending actions required to meet current and future security threats to ports, vessels, facilities, waterways, and their associated inter-modal transportation connections and critical infrastructure;
- promoting international cooperation and

multilateral solutions to maritime security issues;

- addressing security issues and concerns brought to the committee by segments of the maritime transportation industry, or other port and waterway stakeholders; and,
- such other matters, related to those above, that the Secretary may charge the committee with addressing."

Relation to Other Advisory Committees

NMSAC, however, is only one of many federal advisory committees with an interest or charter dealing with homeland security issues. Thus, as a new federal advisory committee, it is important to identify the role of NMSAC in relation to these other existing advisory committees.

Figure 2 is a visual representation of some of these relationships. NMSAC is the primary and lead advisory committee for maritime security. The figure, however, shows where the interests or roles and responsibilities of other federal advisory committees are concurrent with or intersect with those of NMSAC. A key activity, then, as the agenda for

NMSAC evolves, is to maintain awareness of the issues being undertaken in other venues and to coordinate NMSAC's work or interests with these other committees as appropriate.

Summary of Meetings, Accomplishments, Current Activities

NMSAC met for the first time in March 2005, and the committee meets at least once a year by statute. At the inaugural meeting, the Commandant of the Coast Guard spoke to the NMSAC members about his vision for the committee, set high expectations with respect to how the committee could help in furthering the goal of national maritime security, and expressed his appreciation for each member's participation. RADM T.H. Gilmour, the Assistant Commandant for Marine Safety, Security, and Environmental Protection (now Assistant Commandant for Prevention), as well as RADM Larry Hereth, the Director of Port Security at that time, also participated in the inaugural meeting. They framed issues for consideration by the committee and helped set the work of the committee off on the right path. As a result of those initial discussions, five initial workgroups were conceived: the Communications, Consistency, Asymmetric Migration, Single Window (Data) Reporting, and Transportation Worker Identity Card (TWIC) workgroups.

Shortly following the inaugural meeting, the Transportation Security Administration and the Coast Guard asked the NMSAC TWIC workgroup to develop recommendations that would assist with the drafting of a notice of proposed rulemaking (NPRM) for the TWIC. The task statement requested that the workgroup address 13 different areas of concern regarding potential TWIC processes and impacts. Given approximately one month to complete this complex task, the TWIC workgroup quickly commenced work and, after numerous conference calls and document exchanges, presented their recommendations in May 2005. The workgroup received high praise for rapidly responding to this important task and providing comprehensive recommendations, which are proving extremely useful to the government regulation drafting team in understanding the industry's stance on the issues presented.

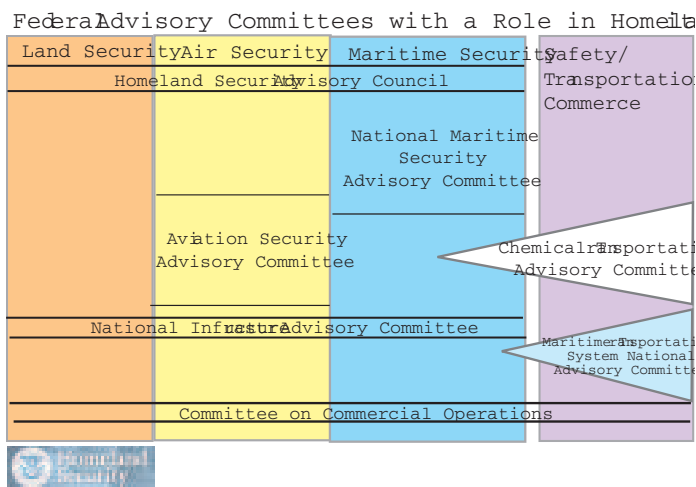


Figure 2: NMSAC's relationship with other federal advisory committees.

Most recently, at the November 1, 2005, session, the committee accepted a task from the Coast Guard to identify maritime private sector subject matter experts (SMEs) from all appropriate maritime business and industry sectors. These SMEs are needed to provide advice and consultation to the Coast Guard and other DHS agencies on national level maritime

matters during transportation security incident (TSI) response or recovery operations. Communications between government and private sector is a key element in the realm of homeland security. Establishing communication mechanisms supports strategies and goals outlined in the Maritime Transportation Security Act of 2002, the National Strategy for Maritime Security, the National Response Plan, and several other guiding documents.

Engagement on Future Maritime Security Challenges

Despite the progress of the nation, the Department of Homeland Security, and the United States Coast Guard on matters of maritime homeland security, there is still much work to be done to continue thwarting the ever-present terrorist threat. The National Strategy for Maritime Security, signed in September 2005, and the eight supporting plans directed by Homeland Security Presidential Directive (HSPD) 13 outline concepts and recommendations to bring collective efforts to the next level. Overall, the eight supporting plans together serve to enhance international cooperation while maximizing Maritime Domain Awareness. This will create necessary layers of security meant to stop or deter threats against the United States, as far from our shores as possible, while also assuring continuity of the maritime transportation system. NMSAC is expected to play an important role in providing private sector perspectives and advice to the government during implementation of these significant plans and strategies.

About the author: Mr. John Bastek is currently the Executive Secretary of NMSAC for the Coast Guard. He has worked for the Coast Guard for two years as a civilian after a 30-year active duty career. He has also held positions on the International Council for Cruise Lines, in the Maritime Group for Preston Gates LLP, and as a private consultant. He is a graduate of the Coast Guard Academy, the University of Miami School of Law, and the Industrial College of the Armed Forces.